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October 4, 2004

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Federal Communications Commission
Office of Secretary

Via Hand Delivery
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Mobile Satellite Ventures Subsidiary LLC
***Ex Parte* Presentation**
IB Docket No. 01-185
File No. SAT-MOD-20031118-00333 (ATC application)
File No. SAT-AMD-20031118-00332 (ATC application)
File No. SES-MOD-20031118-01879 (ATC application)

Dear Ms. Dortch:

In further response to questions raised by the Commission staff at a meeting held on September 14, 2004, Mobile Satellite Ventures Subsidiary LLC ("MSV") provides the following information, which is to be associated with its above-referenced application.

In MSV's *ex parte* letter of August 2, 2004, regarding expedited action on the core elements of MSV's application, MSV requested, *inter alia*, elimination of the 90,000 MT peak traffic limit and approval of an in-orbit spare rather than a ground spare. The staff raised questions about these requests in the meeting of September 14th and MSV now is prepared to modify or supplement these requests as follows.

1. MSV can accept the existing 90,000 MT limit if it is clarified that:

(a) the MT limit allows for up to 720,000 simultaneously-active on-the-air GSM voice conversations ATC-wide using all time slots (90,000 x 8 time slots) based on the GSM ATC assuming an aggregate bandwidth 9 MHz, with equivalences established for non-GSM ATC deployments and services, such as CDMA (cdma2000 and W-CDMA), 802.11, 802.16, and 802.20. For CDMA, the equivalence is described in MSV's above-referenced application.

(b) the 720,000 voice conversations allowed would be increased by any increase in the uplink and/or downlink flexibility that is authorized for MSV's ATC system pursuant to the other elements of MSV's August 2 request, referenced above (*i.e.*, an increase in frequency reuse allowed by an increase in the inter-system $\Delta T/T$; an increase in frequency reuse allowed by a future demonstration of the ATC MT antenna gain being less than 0 dBi; and an increase in the number of deployable carriers per base station sector.)

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2. With respect to the request to maintain an in-orbit spare rather than a ground spare, MSV hereby commits that, if MSV's U.S. satellite suffers a catastrophic failure, MSV will preempt up to half the capacity of its other satellite and will transfer to the other satellite up to half of the traffic that had been carried on the U.S. satellite and will continue to use such capacity until a replacement U.S. satellite is launched successfully. At the time of failure of the U.S. satellite, MSV immediately will begin the process of replacing the failed U.S. satellite with another U.S. satellite.
3. Regarding the use of 6% $\Delta T/T$ as the upper limit for intersystem interference attributable to ATC, this equates to less than a 0.2 dB increase in the noise floor. Such a low value rarely if ever is going to be determinative of whether L-band spectrum can be shared co-channel by MSS system in North America. In the typical case today, and for the next few years, interference from satellite operations predominates. In the future, next-generation systems will have greater power and many more beams, which will ease sharing, without regard to the extra 0.2 dB attributable to ATC.

Pleased be advised that on October 1, 2004, Henry Goldberg, representing Motient, Inc., an investor in MSV, spoke by telephone with Richard Engelman of the International Bureau and discussed with him the substance of this letter.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lon C. Levin', with a stylized flourish at the end.

Lon C. Levin